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1001.1020 PATENT

APR 2 2 2002 WE TRADENHE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John H. VRZALIK

Serial No.: 08/904,121

Filed: July 31, 1997

Title: BARIATRIC BED APPARATUS AND

METHODS

Group Art Unit: 3627

Examiner: LUU, T.

PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED APPLICATION

Box DAC Commissioner for Patents Washington, D.C. 20231 RECEIVED
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OFFICE OF PETITIONS

Sir:

Applicant respectfully petitions, under 37 CFR §1.137(b), for revival of the unintentionally abandoned above-captioned application. It is believed that an Appeal Brief was due in this application on or before August 02, 2001.

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR §1.10)

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Date of Deposit: April 22, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, under 37 CFR §1.10, on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

<u>4/33/ツ</u> Date: David G. Hall

David A. Hall

Signature of Person Mailing

Printed Name of Person Mailing

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REMARKS

This petition is accompanied by a proposed reply, in fulfillment of the requirement of 37 CFR §1.137(b)(1). Applicant is other than a small entity. The Commissioner has been authorized to charge the petition fee required under 37 CFR §1.137(b)(2) and set forth in 37 CFR §1.17(m) to Deposit Account No. 50-0489. The entire delay in prosecution, from the due date for the reply to the filing of this petition and proposed reply, was unintentional. *See* 37 CFR §1.137(b)(3).

In light of all the foregoing, Applicant respectfully requests revival of the unintentionally abandoned above-captioned application in order that its prosecution may be continued.

Respectfully submitted,

Dated:

04/22/2002

WAYNE J. COLTON, INC.

The Milam Building Suite 1032 115 East Travis Street

San Antonio, Texas 78205

Telephone: 210 222 8455 Telecopier: 210 222 8445 Wayne J. Colton Attorney for Applicant

Registration No. 40,962

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